

MINUTES

MINUTES OF THE REGULAR SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, HELD ON TUESDAY, JANUARY 19, 2016, AT 7:00 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY MAYOR OERTLE AT 7:02PM.

ROLL CALL

COUNCIL

Councilmember Eugene Conners, Ward I
Councilmember Joan Hansen, Ward II
Councilmember Shirley Doughty, Ward III Excused
Mayor Ronald Oertle
Councilmember Anna Cline, Ward III, Mayor Pro Tempore
Councilmember Douglas Dunn, Ward II
Councilmember Serena Sullivan, Ward I

STAFF

Jestin Johnson, City Manager
Nina Williams, Deputy City Clerk
Sharon Buono, Finance Director
Albert Echave, Police Chief
Marc Burneleit, Fire Chief

CITY ATTORNEY

Britt Hanson

INVOCATION: Mayor Oertle asked for a moment of silence for the people of the planet that are victims of conflict, violence and war itself.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

CALL TO THE PUBLIC

- Susan Blackford, Bisbee resident submitted a petition to the Council and the City Manager to look into other revenue sources besides a fire district. She also asked to consider the purchase of one or two new or newer ambulances. She gave background information on voting down the ambulance purchase in the past and current ambulances we have.

THE FOLLOWING ITEMS WERE DISCUSSED, CONSIDERED AND/OR DECIDED UPON AT THIS MEETING:

GENERAL BUSINESS:

1. ACCOUNTS PAYABLE: Subject to availability of funds.

MOTION: Councilmember Cline moved to approve Accounts Payable in the amount of \$232,124.99.

SECOND: Councilmember Conners

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Re-Appointment of Keith Dennis to the Board of Adjustment with a Waiver of Number of Commissions Served.
Ashlee Coronado, City Clerk
- B. Approval of the Appointment of Michael McPartlin to the Design Review Board with a Waiver of Number of Commissions Served.
Ashlee Coronado, City Clerk
- C. Approval of the Appointment of Robert Page to the iBisbee Committee.
Ashlee Coronado, City Clerk
- D. Approval of the Re-Appointment of Keith Dennis to the Planning and Zoning Commission with a Waiver of Number of Commissions Served.
Ashlee Coronado, City Clerk
- E. Approval of the Appointment of Sharon Buono to the Public Safety Personnel Retirement Board with a Waiver for Residency Requirement.
Ashlee Coronado, City Clerk
- F. Approval of the Appointment of Audrey Giacomino to the Streets and Infrastructure Committee with a Waiver of Number of Commissions Served.
Ashlee Coronado, City Clerk
- G. Approval of Special Event Liquor License Application Submitted by the Bisbee Radio Project, Inc (KBRP) for an Event to be held at the Bisbee Royale Located at 94 Main Street, Bisbee, Arizona Saturday, February 6, 2016 from 3:00PM to 11:59PM; Ryan Bruce, Applicant.
Ashlee Coronado, City Clerk

MOTION: Councilmember Cline moved to approve the Consent Agenda items 2A-2M.

SECOND: Councilmember Hansen

ROLL CALL VOTE:

AYES: Councilmember Connors, Hansen, Cline, Dunn, Sullivan and Mayor Oertle

NAYS: 0

MOTION PASSED: AYES-5; NAYS-0

OLD BUSINESS

NEW BUSINESS

- 3. Presentation by Commissioner Pat Call and County Manager Jim Vlahovich about an Aquifer Recharge Project using Treated Effluent from our Wastewater Treatment Facility.
Jestin Johnson, City Manager

Mayor Oertle introduced County Supervisor Pat Call. Mr. Pat Call introduced the people with him and stated that this project wouldn't cost the City of Bisbee anything. He began his detailed presentation on the recharge project using treated effluent from our wastewater treatment facility. Two issues; keeping water in the river and cone management increasing the surface flows.

Councilmember Hansen asked about water coming to the San Pedro; treatment of water or no treatment. Mr. Call said that they were detaining it not retaining it. She asked if it was to keep the river a constant level. Mr. Call said it was to increase the flow of the river.

Mr. Call continued with his presentation. He said that this was all conceptual at this point and time. Everything seems to be falling into place in the possibility of doing this, but that they were at the beginning of this project. If they don't get access to the City of Bisbee effluent there was no need to go any further. If they get access to the effluent they do have approximately \$230,000 of money left over from the Palominas recharge project that they could put towards an engineering study.

Mayor Oertle asked about Horse Shoe Draw was it on the same aquifer where it was currently going into Green Bush Draw or was that different. Mr. Call said that it was in the Sierra sub watershed aquifer "Yes". Mayor Oertle said for clarification where the water goes in just off of Naco Highway that was the same aquifer. Mr. Call had his associate answer and said that essentially it was the same aquifer and explained what the difference was. Mayor Oertle also asked about the law regarding moving large amounts of water from one aquifer area to another. Mr. Call said that you couldn't do inter basin transfers.

Councilmember Hansen asked if the ground water was considered the San Pedro, so basically we are doing a recharge into ground water. Mr. Call said that it basically uses ground water, it doesn't replenish it. They are recharging the aquifer next to the river. Councilmember Hansen also asked if there was any concern with health issues, contamination or anything by doing that. Mr. Call said "No" none at all. He explained B+ effluent.

Councilmember Conners asked about urban enhanced water. Mr. Call explained urban enhanced water was. Councilmember Conners also asked if this did happen would that water exclusively be delivered to Horse Shoe Draw or could we sell it. Mr. Call said that ideally not. This project, if we take it to its conclusion the pipe line could cost anywhere in the three (3) to five (5) million dollars. They would have to have a full commitment on that water for a significant amount of time. Mr. Call clarified that if they were able to get the funding for this project they would have to have a full commitment of the effluent for a significant amount of time.

Mayor Oertle asked if they had received any questions or comments from the Arizona Water Company on this. Mr. Call said "No" He said that this was a relatively new project this was the first time they really have been out in public to address this. Mayor Oertle asked if ADEQ would have a say in the matter. Mr. Call said absolutely.

Mr. Johnson said that ADEQ would have to do an amendment to the current discharge permit.

Councilmember Dunn asked for clarification on alternative uses of B+ water would this be a liability or a potential asset to the City of Bisbee. Mr. Call said that the uses for B+ were many. Councilmember Sullivan stated the alternative uses. Mr. Call said that no ideas came to his mind with the city making money on the effluent.

Sharon Rock, Bisbee resident asked that if the Ladd's had a considerable concern about why they don't want the water on their grazing land why it would be better to have it in the aquifer. Mr. Call said that B+ was used for that, but for what he understood that the grass that grows there doesn't get as green as when they have monsoon rain. Nitrogen in effluent could be having an effect on their grass. She also asked if the effluent was recharging the Naco wells. Mr. Call said that he was not sure of the answer. She spoke regarding articles that she had read, concerns that she had and the risks not known. She felt it would be a green light to development in the area.

Mayor Oertle said that this was a long process to get it done and that the federal EPA would probably have a say in the area.

Jeb-Henry Witkowski, Bisbee resident agreed with Ms. Rock that if this does go through the short term / long term that it may a green light for development felt that it would affect local environment. He was more concerned about long term.

Susan Blackford, Bisbee resident said that wouldn't it have been nice if we still had Tom Klimek public works director to advise the city manager and the council of what the concerns are and you could have directed him to look into this since he was a public certified engineer.

Mr. Wallace, Bisbee resident said that Mr. Klimek would have asked what the operators thought of what was going on because that was the type of engineer he was, he wasn't certified as a wastewater operator. Mr. Wallace was. He thought they had the plant fine-tuned and it will be the best water you will ever saw without it being drinking water. He said that if Arizona had a problem with the way the water was they would let us know.

Mayor Oertle thanked Mr. Call and Mr. Vlahovich and the other county people who came here this evening.

4. Discussion and Possible Direction Regarding Arizona Ambulance's Request for Expanded CON (Certificate of Necessity) in the City of Bisbee.

Pursuant to A.R.S. § 38-431.03, the City Council may vote to go into executive session for discussion or consultation for legal advice with the attorney or attorneys of the public body or for discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding pending or contemplated litigation.

Jestin Johnson, City Manager

Mr. Johnson explained that a CON(Certificate of Necessity) was administered by the Arizona Department of Health Services to regulate ambulance service in the state of Arizona and that every place has adequate coverage. We were here to talk about some pending litigation as it relates to this particular item. He said that our CON (Certificate of Necessity) covers about 400 square miles.

Mayor Oertle stated that the Certificate of Necessity (CON) would be decided by the Arizona Department of Health Services. Mr. Johnson said yes and stated that recently our CON (Certificate of Necessity) was renewed in August of 2015. Mayor Oertle asked if there was any indication of the time frame of this happening or not happening. Mr. Johnson said that those details would be discussed in executive session.

Susan Blackford, Bisbee resident spoke regarding the voting down of an ambulance purchase in past years. She also spoke about a Fire District. She talked about the agreement we have with Palominas and that Arizona Ambulance was not making the money they once were. She gave information regarding Arizona Ambulance. Safety for our citizens should be the first concern. She said we have one of the best fire departments in the state. She thanked both the police and fire for all they do.

Ken Budge, Bisbee resident said that he was not here tonight with figures and facts, but to give a little history. He talked about his career and what he dealt with, with private ambulance services.

Mayor Oertle said that this was an important issue.

MOTION: Councilmember Cline moved to go into Executive Session.

SECOND: Councilmember Hansen

MOTION PASSED: UNANIMOUSLY

MOTION: Councilmember Connors moved to come out of Executive Session.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

5. City Manager's Report:

- Other current events

Mayor Oertle stated that the City Manager was called away so there will be no report given.

MOTION: Councilmember Connors moved to adjourn the meeting.

SECOND: Councilmember Sullivan

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 10:02PM

Ronald Oertle, Mayor